

08/408,563


**UNITED STATES DEPARTMENT OF COMMERCE  
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08/408,563    03/22/95    KAHLECK

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 C B19567,14-US  
**EXAMINER**

GORDON, P

**ART UNIT**    **PAPER NUMBER**

2306

DATE MAILED:

08/19/96

 This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined    ☐ Responsive to communication filed on \_\_\_\_\_    ☐ This action is made final.

 A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133
**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |                                                                                         |                                                                                              |
|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. (2)  | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.                  |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474.     | 6. <input type="checkbox"/> _____                                                            |

**Part II SUMMARY OF ACTION**
 1. ☒ Claims 1-47 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

 2. ☐ Claims \_\_\_\_\_ have been cancelled.

 3. ☐ Claims \_\_\_\_\_ are allowed.

 4. ☒ Claims 1-47 are rejected.

 5. ☐ Claims \_\_\_\_\_ are objected to.

 6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

 7. ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

 8. ☐ Formal drawings are required in response to this Office action.

 9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

 10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

 11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).

 12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

 13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

 14. ☐ Other
**EXAMINER'S ACTION**

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Part III DETAILED ACTION

Drawings

1. The drawings filed March 22, 1995 are objected to under 37 C.F.R. § 1.84 as the enclosed PTO-948 indicates.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 8, 15, 23, 34, 35, and 39 43 rejected under 35 U.S.C. § 102(b) as being anticipated by Mii(5,282,127).

Mii teaches a remote office machine management system comprising a plurality of office machinery, host controlling means, processor means, receiving means, timing means, and a signal generating means. Also, Mii uses serial data transmission between the office machines and the remote host device.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section

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102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

5. Claims 4-14, 16-22, 24-33, 36-38, 40-42, 44-47 are rejected under 35 U.S.C. § 103 as being unpatentable over Mii(5,282,127).

The 35 U.S.C. § 102(b) rejection above in paragraph number 3 is incorporated herein by reference.

With regard to claims 4-7, 24, 25, 36, 37, 38, and 40, Mii's primary embodiment uses a modem(s) to bi-directionally communicate information between the host and each office machine. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to utilize either radio or telephone communication networks also because these types of communication systems would be selected by an artisan if the design criteria would have required these additional methods of communicating data.

With regard to claims 13 and 14, various types of office machine status data is transmitted back to the host device. Simply, transmitting the number of black/white or

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primary/secondary copies printed back to the host device would have been used by management to determine when the stock or inventory of paper needs replenished. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use transmitted inventory data at the host device for maintaining adequate paper stock in the office machinery being monitored.

With regard to claims 9 and 10, the user in Mii is only allowed to input preestablished limits regarding the operational ranges of the office machine.

With regard to claim 11, the host device receives information concerning the power status(on/off) of every office machine. In column 6, line 22, Mii's host device is said to be provided with this power information. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to controllably activate/deactivate office machinery from the remote location in order to conserve energy and money.

With regard to claim 12, Mii keeps an updated file of users who are registered to access the management system. In column 14, line 43-48, Mii discloses that user information is maintained which is also illustrated in figure 38. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to check for unauthorized use of the

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office management system because system security would be jeopardized if unauthorized users were permitted to access important information.

With regard to claims 16, 17, 26-33, 41, and 42, Mii provides a user access control or data entry means at both the office machine and host device.

With regard to claims 18 and 19, Mii teach in column 12, lines 18-22, of using a flashing icon(s) to alert the user to alarm condition(s). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further alert the user by audible means because the user may not be able to readily see the display and miss any flashing icon so an audible alarm would prevent this from occurring.

With regard to claim 20, modems implicitly include a means to generate pulses for communication purposes.

With regard to claim 21, Mii teach in column 11, line 5, of using ACK and NAK signals between the communication devices(i.e modems) of the respective controlling means.

With regard to claim 22, optical isolation means in data transmission systems are commonly employed to reduce noise and interference during both transmission and reception activity.

With regard to claims 44-47, Mii associates his invention to the monitoring and control of office machinery. It would have been obvious to an artisan to likewise monitor and control other

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office machines, such as, a fax machine, printer, document scanner, and/or personal computer because these are other well known office machines used by many modern offices of today.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Gordon whose telephone number is (703) 305-9760 or FAX (703) 305-9724.

  
PAUL P. GORDON  
PRIMARY EXAMINER  
GROUP 2300

ppg  
August 13, 1996